

MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
December 1, 2015
6:00 pm CST

I. Call to Order – Mayor Schafer called the meeting to order at 6:00 p.m. CST

1. Invocation – Councilmember Knobloch

2. Pledge of Allegiance – Councilmember Rech

3. Roll Call –

Present: Mayor Schafer, Councilmembers Woolbright, Knobloch, Sislow and Rech.

Absent: Lopez.

4. **Confirmation or Adjustment of the Agenda Order** – Councilmember Knobloch moved, seconded by Councilmember Woolbright, to accept and approve the agenda with the following additions:

II. 3 c. Contract renewal – Levanway & Associates, PLLC

4. Fiber Optic Discussion

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

III. **Presentation Agenda**

1. Council Comments

- a. The next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on December 15, 2015
- b. Holiday Celebration on the Town Green will be Thursday, December 3, 2015 from 6 – 8 p.m.
- c. City Hall will be closed December 24 and 25, 2015 in observance of Christmas as proclaimed by Governor Phil Bryant
- d. City Hall will be closed December 31, 2015 and January 1, 2016 in observance of New Year's Day

VI. City Manager Report

Christmas event:

We are looking forward to a great event Thursday night. Everyone has pitched in and helped. I hope the weather cooperates and we have a big crowd. It really is going to be an event to remember.

Drainage projects:

Bids will be opened for **Kiko Street** on tomorrow at 2:00pm.

Gulf Coast Broadband Commission:

I have requested the most recent documents from Mr. Cliff Kirkland relating to the Broadband Commission. It is my understanding that the most recent versions of the interlocal agreements may be significantly different than the versions that were provided to me by their attorney. I will keep you posted.

Tidelands Grant for 2016:

We received a letter informing us that the state tidelands receipts were not meeting projects and that all Tideland grant funds were being reduced 25%. That reduced our grant from \$493,000 to \$369,750. Ms. Moore and I have met with Seymour Engineering to make the adjustments to the program and will have an amended grant agreement for you to approve at the next Council meeting.

Infrastructure:

I have received preliminary approval from a major business to work with us on granting an easement for road improvements in the 'Commercial' area. I have more meetings this week that I'm very hopeful will be productive in meeting this goal. I'll share more as I am able. Derek Cusick has been very helpful in running down deeds and ownership.

Smoke Free Ordinance:

We delivered letters today to the businesses in Diamondhead letting the owners and managers know that we would be delivering information toolkits on the Smoke Free Ordinance. The toolkit will include signage for display in all of the businesses and relevant information. We are trying to make sure we have a smooth transition on January 1st.

2. Public Comments on Agenda Items: None

IV. Policy Agenda

1. Approval of Minutes

a. November 17, 2015

Councilmember Rech moved, seconded by Councilmember Sislow, to approve the November 17, 2015 Formal Meeting Minutes

Ayes: Woolbright, Knobloch, Sislow and Rech. Abstain: Mayor Schafer Absent: Lopez.

MOTION CARRIED

2. Other Actions:

- a. **2015-169:** Case File 2015-00341 Diamondhead Country Club and Property Owner's Association variance request to allow use of a 6' chain link fence to enclose soccer/football field at 4200 Noma Drive

Councilmember Rech moved, seconded by Councilmember Sislow to approve a variance in the matter of Case File 2015-00341 wherein Diamondhead Country Club and Property Owner's Association requests a variance to allow use of a 6' chain link fence to enclose the soccer/football field at 4200 Noma Drive and further to waive the variance application based on Council finding of fact the variance as requested is determined to be a community service improvement

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

- b. **2015-170:** Case File 2015-00351 Diamondhead Country Club and Property Owner's Association variance request to allow use of a 4' chain link fence to enclose baseball field and adding 2 baseball stops at East Recreation Facility

Councilmember Sislow, seconded by Councilmember Rech, to approve a variance in the matter of Case File 2015-00351 wherein Diamondhead Country Club and Property Owner's Association requests a variance to allow use of a 4' chain link fence to enclose baseball field and adding 2 baseball stops at East Recreation Facility and further to waive the variance application fee based on Council finding of fact the variance as requested is determined an improvement community service improvement

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

3. Other Actions:

- a. **2015-164:** Accept and award low bid received from DNA Underground, LLC in the amount of \$184,900 for Kapalama, Ahekololo, Apua and Iona drainage projects and to authorize the City Manager to execute contract for same

Councilmember Rech moved, seconded by Councilmember Knobloch, to accept and award the low bid received from DNA Underground, LLC in the amount of \$184,900.00 for Kapalama, Ahekololo, Apua and Iona drainage projects and to authorize the City Manager to execute contract for same (BID TABULATION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

b. **2015-168**: Approve Unclaimed Property Policy and Procedure

Councilmember Rech moved, seconded by Councilmember Sislow, to approve City of Diamondhead Policy and Procedure for Unclaimed Property

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

c. **2015-165**: Approve Independent Contractor Agreement between the City and Levanway & Associates, PLLC for professional services

Councilmember Knobloch moved, seconded by Councilmember Sislow, to approve the Independent Contractor Agreement between the City and Levanway & Associates, PLLC for professional services for the December 1, 2015 and terminating September 30, 2016.

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

4. Discussion of Fiber Optics

Councilmember Sislow moved, seconded by Councilmember Rech, to table discussion of fiber optics.

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

IV. **Routine Agenda**

1. Docket of Claims (Claims DKT151968 thru DKT151992)

Councilmember Rech moved, seconded by Council Member Woolbright, to approve the Docket of Claims (Claims DKT151968 thru DKT151992)

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

2. Net Payroll, including benefits and taxes, November 25, 2015 - \$50,854.23

V. Public Comments on Non Agenda Items - None

Public Comments on Non Agenda Items – None

Executive Session

At 6:36 p.m. CST, Mayor Schafer moved, seconded by Councilmember Sislow, to enter closed session to determine the necessity for executive session.

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

Councilmember Knobloch moved, seconded by Councilmember Rech, to return regular session.

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None. Absent: Lopez.

MOTION CARRIED UNANIMOUSLY

The motion carried and the regular meeting reconvened at 6:40 p.m. CST.

RETURN TO REGULAR SESSION

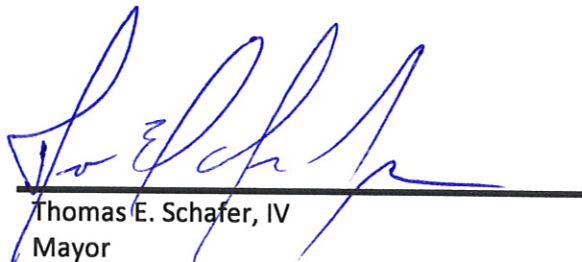
The City Attorney announced the Mayor and Council determined no need to enter executive session.

VI. Adjourn

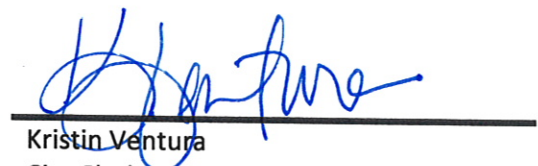
At 6:42 p.m. CST Councilmember Sislow moved, seconded by Councilmember Rech, to adjourn.

Ayes: Woolbright, Knobloch, Sislow, Rech and Mayor Schafer. Nays: None Absent: Lopez.

MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Kristin Ventura
City Clerk